

JUDGE DANIELS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

v.

BRIAN BOYD, SR.,

Defendant.
-----X

07 CRIM. 483

INDICTMENT

07 Cr.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **MAY 29 2007**

COUNT ONE

The Grand Jury charges:

1. From in or about August 2006, up to and including in or about February 2007, in the Southern District of New York and elsewhere, BRIAN BOYD, SR., the defendant, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did effect transactions using one and more access devices issued to another person or persons, to receive payment and other things of value during any one-year period the aggregate value of which is equal to or greater than \$1000, to wit, BOYD made numerous unauthorized and fraudulent purchases of Broadway show and airline tickets, totaling over \$200,000, using various credit cards belonging to other individuals.

(Title 18, United States Code, Sections 1029(a)(5).)

COUNT TWO

The Grand Jury further charges:

2. From in or about August 2006, up to and including

in or about February 2007, in the Southern District of New York and elsewhere, BRIAN BOYD, SR., the defendant, unlawfully, willfully and knowingly, during and in relation to a felony violation enumerated in subsection (c) of Title 18, United States Code, Section 1028A, did transfer, possess, and use, without lawful authority, means of identification of other persons, to wit, BOYD used the names and credit card numbers of other individuals in furtherance of the fraud offenses charged in Count One of this Indictment.

(Title 18, United States Code, Section 1028A.)

FORFEITURE ALLEGATION

AS TO COUNTS ONE THROUGH TWO

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, BRIAN BOYD, SR., the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud and aggravated identity theft offenses.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;


d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and Title 18, United States Code, Sections 1028A and 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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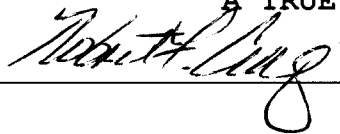
INDICTMENT

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(18 U.S.C. §§ 1028A and 1029(a)(5).)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL



Foreperson.

29 May 07 TLC: Post 11/1/87 indictment filed.
Assigned to Judge Daniels.

Peck, M.J.